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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,805	01/11/2002	Gary N. Truesdale	CLUTCH-1	9073

7590 06/14/2004

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EXAMINER

PASSANITI, SEBASTIANO

ART UNIT PAPER NUMBER

3711

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

dc

Office Action Summary	Application No. 10/043,805	Applicant(s) TRUESDALE, GARY N.	
	Examiner Sebastiano Passaniti	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is responsive to communication received 04/15/2004 –
Request for Continued Examination (RCE).

Claims 18-22 remain pending.

Following is an action on the MERITS:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young in view of Satoh, Takeda and Sherwood. The patent to Young differs from the claimed invention in that Young does not detail the exact height and width of the head as well as the claimed club head weight. Note, Young does acknowledge that the weight of the head may be varied to adjust the center of gravity and the overall feel of the club head. See col. 2, lines 18-31 along with col. 4, lines 8-51 in Young. The secondary teachings to Satoh and Sherwood show that it is old in the art to provide an iron-type club head with a wider sole and a larger striking face, respectively. In particular, note that Satoh details a maximum sole width greater than 1.2 inches for at least some iron-type club heads. See, for example, the sole dimension for the #3 iron, as shown in TABLE 1 of Satoh. In addition, Satoh details that the loft angle, for at least club heads numbered #3 through #6, may be less than 30 degrees. Satoh provides a

Art Unit: 3711

means to increase the trajectory of a struck ball by effectively lowering the center of gravity of the head (col. 4, lines 5-18). With respect to Sherwood, the height (D) of the face is seen as having a maximum height of at least 1.75 inches in at least one of a number of iron-type club heads. See, for instance, the height dimension for the #3 iron, as shown in TABLE 2 of Sherwood. It is noted by Sherwood that the increase in the size of the head increases the sweet spot and enhances a golfer's confidence (col. 6, line 60 through col. 7, line 5). Finally, Takeda obviates the use of a shaft length of less than 37 inches (col. 1, lines 20-31). The combined teachings of Young, Satoh, Takeda and Sherwood would have motivated the skilled artisan to modify the device in the cited art reference to Young by enlarging the weight of the head to exceed 320 grams and to include the claimed loft, sole and face height dimensions, the motivation being to desirably enhance the location of the center of gravity and to alter the flight characteristics of a struck ball.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Duclos in view of Perkins, or alternatively, Perkins in view of Duclos. Considering Duclos in view of Perkins, note Figure 6 in Duclos showing a groove or slot (66) on the top of a flange portion located to the rear of an iron-type club head. The bottom portion of the flange defines a portion of the sole. The groove is indeed parallel to a direction of intended travel of a struck ball. Duclos, however, does not show the groove being no higher than 0.5 inch above the lowest point of the sole. Perkins shows it to be old in the art to provide an iron-type club head with alignment means close to the sole (see indicia 23). The marker (26) in Perkins acts in conjunction with the alignment means (23) to

help enhance the golfer's accuracy in placing his hands and body with respect to the direction of swing so that the loft of the club is more precisely aligned (col. 2, lines 1-16). In view of the patent to Perkins, it would have been obvious to modify the device in the cited art reference to Duclos by simply forming the groove or slot (66) nearer only a bottom portion of the sole, the motivation being to provide another convenient place to locate the alignment marking. It would appear that the Duclos and Perkins club alignment devices function in a similar manner and that using a groove nearer the top or more adjacent the sole would serve the same purpose of assisting the golfer to set-up a more accurate stance at address.


In the alternative and considering Perkins in view of Duclos, Perkins differs from the claimed invention in that Perkins does not show a "groove". Note, Perkins merely shows and suggests the use of an alignment means (28), but does not preclude the use of other forms of alignment markings. Clearly, the use of a groove mechanism as further taught by Duclos would have been obvious to the skilled artisan at the time of the invention in order to simply provide another convenient way of indicating the proper club head alignment for a golfer standing at address.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 703-308-1006. The examiner can normally be reached on Mon-Fri (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sebastiano Passaniti
Primary Examiner
Art Unit 3711

S.Passaniti/sp
June 9, 2004